

REMARKS

The Official Action mailed December 4, 2003, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to April 4, 2004. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on January 3, 2002, and October 9, 2003. However, the Applicants have not received acknowledgment of the Information Disclosure Statement filed on July 23, 2003. The Applicants respectfully request that the Examiner provide an initialed copy of the Form PTO-1449 evidencing consideration of the Information Disclosure Statement filed July 23, 2003.

Claims 1-71 were pending in the present application prior to the above amendment. Claims 9-12 and 30-33 have been canceled, and claims 1 and 3 have been amended to better recite the features of the present invention.

The Official Action has indicated that claims 1, 2, 4-29 and 40-71 have been withdrawn from consideration (Office Action Summary, Paper No. 8). Also, paragraph 1 of the Official Action asserts that "Applicant's election without traverse of species 3 claims 3, 30-39 in Paper No. 7 is acknowledged" (page 2, Id.) However, as noted in the Official Action dated September 9, 2003 (Paper No. 5), and as noted in the Applicants' *Response to Election Requirement* dated October 9, 2003 (Paper No. 7), "claim 1 is generic." The Applicants respectfully submit that generic claim 1 was properly elected on October 9, 2003, and should have been examined on the merits with the present Official Action. Therefore, the Applicants respectfully request that generic claim 1 be examined on the merits in a subsequent Official Action. Also, it is believed that dependent claims 13-16, 18 and 19, which depend from generic claim 1, should also be examined.

Accordingly, claims 1, 3, 13-16, 18, 19 and 34-39 are currently elected, of which claims 1 and 3 are independent, and claim 1 is generic. For the reasons set forth in

detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 3 of the Official Action objects to the drawings under 37 CFR 1.83(a) asserting that the drawings do not show "the curved surface of the reflective layer" (page 2, Paper No. 8). In response to this objection, the Applicants submit herewith new Figure 24; which is substantially identical to Figure 3 as filed except that, in Figure 24, a reflecting surface of the reflector 312 is a curved surface. Support for this feature of new Figure 24 is found in the specification at page 10, lines 7-23, and at page 20, lines 9-11. The specification has been amended to include appropriate references to Figure 24 in the "Brief Description of Drawings" at page 14 and in the "Detailed Description of the Preferred Embodiments" at page 20. Reconsideration of the objection is requested.

In response to a request in paragraph 4 of the Official Action, the Applicants will correct any errors in the specification of which the Applicants become aware.

Paragraph 5 of the Official Action objects to the title of the instant application. In response to this objection, the Applicants have amended the title in conformance with the Examiner's suggestion.

Paragraph 7 of the Official Action rejects claims 3, 30-33 and 35-39 as anticipated by U.S. Patent No. 6,599,788 to Kawasaki et al. The Applicants respectfully submit that an anticipation rejection cannot be maintained against the independent claims of the present invention, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Applicants respectfully submit that an anticipation rejection cannot be maintained against the independent claims of the present invention, as amended. Independent claims 1 and 3 have been amended to recite introducing at least one of

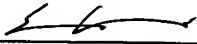
noble gas elements and at least one of an element providing an n-type and an element providing a p-type into the semiconductor film; performing thermal treatment for gettering the element for promoting crystallization; and irradiating with a first laser light from the first surface and with a second laser light from a second surface of the translucent substrate after the thermal treatment for gettering. Kawasaki does not teach at least the above-referenced elements of the independent claims, either explicitly or inherently.

Since Kawasaki does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

Paragraph 10 of the Official Action rejects claim 34 as obvious based on the combination of Kawasaki and U.S. Patent Application Publication No. 2001/0010702 to Tanaka. Tanaka does not cure the deficiencies in Kawasaki. The Official Action relies on Tanaka to allegedly teach "the use of a curved reflector" (page 6, Paper No. 8). Kawasaki and Tanaka, either alone or in combination, do not teach or suggest introducing at least one of noble gas elements and at least one of an element providing an n-type and an element providing a p-type into the semiconductor film; performing thermal treatment for gettering the element for promoting crystallization; and irradiating with a first laser light from the first surface and with a second laser light from a second surface of the translucent substrate after the thermal treatment for gettering. Since Kawasaki and Tanaka do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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